

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASHISH ACHARJEE,

Plaintiff,

v.

SHERIFF DEPARTMENT OF
RIVERSIDE COUNTY, et al.,

Defendants.

Case No. 5:23-cv-00112-HDV (MAR)

**ORDER ACCEPTING FINDINGS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the operative First Amended Complaint, the records on file, and the Report and Recommendation (“Report”) of the United States Magistrate Judge. Further, the Court has engaged in a *de novo* review of those portions of the Report to which objections have been made.

The Report recommends the grant of Defendants’ motion for summary judgment for Plaintiff’s claims of constitutional violations during his criminal proceeding. (ECF No. 73.) For the following reasons, Plaintiff’s objections to the Report (ECF No. 74) do not warrant a change to the Magistrate Judge’s findings or recommendations.

1 Plaintiff objects that the Report reflects abuse of judicial authority, legal
2 error, and judicial bias. (ECF No. 74 at 2-4.) This vague objection is not
3 responsive to the Report.

4 Plaintiff objects that Defendants' attorney filed a declaration with "wrong
5 statements" about meeting and conferring with Plaintiff about a Stipulated
6 Protective Order. (ECF No. 74 at 4-5 (*citing* ECF No. 43).) This vague objection
7 also is not responsive to the Report.

8 Plaintiff objects that the Magistrate Judge issued an order striking his motion
9 to compel. (ECF No. 74 at 5 (*citing* ECF No. 46).) The Court concurs with the
10 Magistrate Judge's order striking the motion. The motion did not have hearing
11 information and violated multiple local rules. (ECF No. 46 (*citing* ECF No. 40).)

12 Plaintiff objects that the Magistrate Judge erred in denying his motion for a
13 protective order. (ECF No. 74 at 5.) The Court concurs with the Magistrate
14 Judge's denial of the motion. It was not clear what Plaintiff was requesting in the
15 motion and, to the extent that any requests could be gleaned from the motion, relief
16 was not warranted. (ECF No. 39 (*citing* ECF No. 30).)

17 Plaintiff objects that he was not able to retrieve some of the filings on
18 PACER. (ECF No. 74 at 6.) Defendants point out that the filings are under seal on
19 PACER to prevent disclosure of personally identifying information of the victim
20 and Plaintiff's son. (ECF No. 75.) Moreover, Plaintiff had access to all the filings
21 in preparation for his Opposition to the Motion for Summary Judgment.

22 Plaintiff objects that Defendants' attorneys engaged in *ex parte*
23 communications with the Judges assigned to this case. (ECF No. 74 at 6-7.) This
24 objection is unsupported.

25 Plaintiff objects that Defendants' attorney "made material statements on
26 behalf of the court and magistrate judge[.]" (ECF No. 74 at 7.) This objection also
27 is unsupported.

28 In sum, Plaintiff's objections are overruled.

1 IT IS ORDERED that (1) the Report and Recommendation is accepted; (2)
2 Defendants' Motion for Summary Judgment is granted; and (3) Judgment shall be
3 entered dismissing this action with prejudice and without leave to amend.

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5 DATED: September 25, 2024

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HERNÁN D. VERA
UNITED STATES DISTRICT JUDGE